

VIA eFILE

PATENT APPLICATION  
Docket No. 17601.41a.1.1.1.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
		)
	Randolf Von Oepen, et al.	)
		)
Serial No.:	10/743,857	) Art Unit
		) 3773
Filed:	December 22, 2003	)
		)
Confirmation No.:	9100	)
		)
For:	Methods and Apparatus for a Stent	)
	Having an Expandable Web Structure	)
		)
Examiner:	Vy Q. Bui	)
		)
Customer No.:	57360	)

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Declarant, Rick D. Nydegger, represents that he is the Attorney of Record for Owner Abbott Laboratories Vascular Enterprises Limited, a corporation organized and existing under the laws of the country of Ireland, having an address of Earlsfort Center, Terrace, Dublin 2, Ireland, and that he is authorized to make this Declaration and execute this Terminal Disclaimer on behalf of Abbott Laboratories Vascular Enterprises Limited. Declarant further represents that Abbott Laboratories Vascular Enterprises Limited, is the assignee and Owner of the entire interest of the instant application, and also of all other applications referenced herein, as indicated by assignments recorded at the U.S. Patent and Trademark Office.

Abbott Laboratories Vascular Enterprises Limited, the Owner of a 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory terms of the **reference applications** listed below, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any **reference applications** may be shortened by any terminal disclaimer filed prior to the grant of the **reference applications**.

**Reference Applications**

10/903,013  
10/903,014  
10/903,080  
10/909,117  
10/909,118  
10/954,948  
10/955,425  
11/601,475

The Owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **reference applications** are commonly owned. This Agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns:

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **reference applications**, as the term of any **reference application** may be shortened by any terminal disclaimer filed prior to the grant of any **reference application**, in the event that any such patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims

canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED this 16th day of December, 2009.

Respectfully submitted,

By:



Rick D. Nydegger  
Attorney for Owner  
Abbott Laboratories Vascular  
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